WPSS No. 369 of 04:

Hon'ble M.M. Ghildiyal, J.

Heard Sri D.S. Mehta, Adv. holding brief of Sri M.C. Pant learned counsel for the petitioners and Sri Shobhit Saharia learned counsel for the respondents.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

i. Issue a writ, Rule of direction in the nature of mandamus commanding to the respondents to allow the regular pay scale of the petitioner and also consider there case for regularization and to regularize them at par to the decision given in w.p. 1122/03 (SS),

ii. Issue any other writ, Rule or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case,

iv. Award cost of the petition to the petitioners.

Since the main prayer sough by means of this petitioner is for regularization of petitioners' services on the posts on which they are working. This prayer cannot be granted by this Court in view of the judgment of Hon'ble the Apex Court in the case of State of Karnataka vs. Uma Devi, reported in 2006 (4) Supreme Court Cases, page-01. Therefore, the petition lacks merit and deserves to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

(M.M.G., J.)

07.05.2007:
NCM: